

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

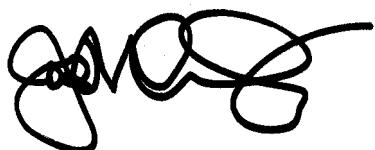
MICHAEL F. BAILEY,)
)
) CIVIL ACTION NO. 3:08-268-TLW-JRM
Petitioner,)
)
v.)
)
)
A.J. PADULA,)
)
)
Respondent.)

)

ORDER

The Report and Recommendation filed January 15, 2009, recommending that Respondent's motion for summary judgment be granted based on the Anti-Terrorism and Effective Death Penalty Act statute of limitations, has been rejected due to the holding of Jimenez v. Quarterman, 129 S.Ct. 681 (2009). The case has been remanded to the undersigned for further consideration. Respondent shall file a supplemental return addressing Petitioner's claims on the merits on or before April 3, 2009.

IT IS SO ORDERED.



Joseph R. McCrorey
United States Magistrate Judge

Columbia, South Carolina

February 19, 2009